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September 23, 2014

### **VIA ECF AND HAND DELIVERY**

The Honorable Katherine B. Forrest  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007-1312

Re: *In re Aluminum Warehousing Antitrust Litig.*, No. 1:13-md-02481-KBF-RLE

Dear Judge Forrest:

Enclosed please find a courtesy copy of Defendant The London Metal Exchange's Opposition To Plaintiffs' Joint Motion For Reconsideration Of Dismissal Of The London Metal Exchange On Foreign Sovereign Immunity Grounds Without Leave To Replead.

Plaintiffs' motion requests that this Court "wait to consider whether to grant leave to replead against the LME until it has an opportunity to see the proposed amended complaint" that plaintiffs are to file on October 7. (Mem. of Law In Support Of Joint Motion (Doc. 579) at 1). Plaintiffs are apparently intending, then, to flout this Court's August 25 ruling that they cannot replead and to do so anyway, as if the pendency of this motion for reconsideration absolves them from the necessity of obeying the Court's order.

The LME is filing this opposition before it is due, in the hope that it would provide this Court with the time to be able to rule on the motion for reconsideration prior to plaintiffs' filing of the proposed amended complaint in which they apparently intend to name the LME as a defendant.

Respectfully submitted,

/s/ Margaret M. Zwisler  
Margaret M. Zwisler

Enclosures

cc: All Counsel of Record (via ECF)